

Remarks

Claims 2-4, 6-29 and 32-47 are pending in this application. Claim 5 has been canceled hereinabove. Claims 2-4, 6-14, 18-29 and 37-47 are allowed.

In item 3 of the Office Action, claims 13 and 14 were rejected under 35 USC 102(b) as being anticipated by WIPO 98/12090 (with US 6,227,626 to Blattert being used as its English equivalent). However, it is noted that elsewhere in the in Office Action (Office Action Summary and item 8) claims 13 and 14 are indicated to be allowed. Accordingly, it is unclear what the status of claims 13 and 14 is. Therefore, a portion of the remarks traversing the rejection of claims 13 and 14 in the previous Office Action are repeated here.

The rejection based on Blattert should be withdrawn for at least the reason that Blattert does not disclose the switching device required by claim 13. Blattert fails to teach that element 120 (alleged in the Office Action to correspond to the claimed switching device) includes a plurality of switching devices, as recited in amended claim 13, each of which is provided for a corresponding one of the batteries 101, 100 so as to selectively permit and inhibit supply of the electric energy by the corresponding one of the batteries 101, 100.

In view of the foregoing, claim 13 is allowable over Blattert. Further, since claim 14 is dependent on claim 13 and therefore includes its limitations, claim 14 is likewise allowable over Blattert for at least the reasons discussed above. Accordingly, withdrawal of the rejection of claims 13 and 14 as anticipated by Blattert is respectfully requested.

Claim 15 was rejected under 35 USC 102(e) as being anticipated by Dieckmann (US 6,203,116). However, Dieckmann does not support the asserted rejection for at least the reason that Dieckmann does not teach a front left brake power source arranged to supply an electric energy to a front left brake control device without supplying the electric energy to a front right brake control device, and a front right brake power source arranged to supply an electric energy to a front right brake control device without supplying the electric energy to the front left brake control device, as required by claim 15. It is noted that the Office Action refers to elements 14a and 14b of Dieckmann as constituting a "brake

control apparatus." However, elements 14a and 14b are in no way equivalent to the brake control apparatus recited in claim 15, since elements 14a and 14b are merely brake actuators to which signals are supplied from control unit 10 (see col. 5). In view of the foregoing, withdrawal of the rejection of claim 15 as anticipated by Dieckmann is respectfully requested.

Claims 16, 17 and 34 were rejected under 35 USC 103(a) as being anticipated by Blattert in view of Maron et al. (Maron) (US 5,829,845). It is noted that to establish a *prima facie* case of obviousness under 35 USC 103, all claim limitations of a claimed invention must be taught or suggested by the prior art. In view of this, it is respectfully submitted that the cited combination fails to support the asserted rejection.

Claim 16 recites, among other features, a switching device includes a plurality of switching devices, each of which is provided for a corresponding one of a plurality of electric power sources so as to selectively permit and inhibit supply of the electric energy by the corresponding one of the plurality of electric power sources. Blattert is clearly silent as to such features. Moreover, Maron does not remedy this deficiency in Blattert. It is further noted that amendments to claim 13 along these lines were apparently a basis for allowing claim 13, as indicated in the Office Action Summary and item 8. Therefore, claim 16, and claim 17 dependent thereon, are allowable over Blattert and Maron. Moreover, claim 34 depends on claim 13, and therefore is allowable over Blattert and Maron for at least the reasons discussed above in connection with claim 13. Withdrawal of the rejection of claims 16, 17 and 34 as unpatentable over Blattert and Maron is therefore respectfully requested.

Claims 32, 33, 35 and 36 were indicated to be allowable if rewritten in independent form. Claims 32 and 33 have been amended as set forth above to place them into independent form, and accordingly are allowable. Claim 35 depends on claim 15, and claim 36 depends on claim 16. Accordingly, claims 35 and 36 are allowable for at least the reasons discussed above in connection with claims 15 and 16.

In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees under 37 C.F.R. 1.16 or 1.17 related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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